

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

RAFAEL J. MAGANA,

Defendants.

8:23CR236

ORDER

This matter is before the Court on Defendant's Unopposed Motion to Extend Time to File Pretrial Motions. ([Filing No. 38](#)). The motion is unopposed by the government. For good cause shown, the Court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's Unopposed Motion to Extend Time to File Pretrial Motions, ([Filing No. 38](#)), is granted.
- 2) Pretrial motions shall be filed by January 12, 2024.
- 3) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between today's date and January 12, 2024, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 11th day of December, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge